

Subject: Management of Industrial Waste

The 2001 State Legislature revised the statutory requirements relative to management of Industrial Waste through House Enrolled Act (HEA) 1830 (effective July 1, 2001). HEA 1830 amends the statute at IC 13-20-7.5, and provides the following changes:

- deletes the term "industrial waste" from the statute,
- eliminates the requirement for generators to notify landfills regarding their wastes (it does not, however, prevent a landfill as part of their business practices to require whatever notification they feel is appropriate)
- eliminates the requirement for landfills to dispose of "industrial waste" into subtitle D cells or to request a permit modification to allow the disposal of "industrial waste" into non-subtitle D cells,
- eliminates the prohibition of industrial wastes through transfer stations,
- emphasizes that the Indiana Department of Environmental Management (IDEM) may modify permits to prohibit the processing or disposal of specific solid wastes or modify permits to establish operating controls for specific solid wastes at disposal or processing facilities,
- requires generators who send waste to a waste-to-energy facility to notify the facility if the solid waste meets certain physical criteria described within the law such as dusts, volatiles, and bulk shipments,
- requires IDEM to modify previous solid waste rules to eliminate references to special and industrial waste.

Although HEA 1830 significantly reduces notification and disposal regulations for certain non-municipal wastes, please remember that landfills are still obligated to comply with the solid waste rules that require:

- screening incoming waste to ensure that hazardous waste is not being disposed, and
- properly managing and disposing of waste that presents special handling problems such as asbestos, dusts, heat generating wastes, etc.

It is recommended that landfills continue to work with generators to ensure they are familiar with the wastes generators are sending for disposal, having confidence that the waste is not hazardous and knowing any special handling conditions. Please note that generators are still required under the hazardous waste regulations to make a waste determination on every waste they generate using generator knowledge and/or testing.

If you have any questions, please contact the Industrial Waste Compliance Section at 317/308-3103.